

#3

| | |
|--|------------------------------------|
| IN THE U.S. PATENT AND TRADEMARK OFFICE | |
| DECLARATION AND POWER OF ATTORNEY | ATT. DOCKET NO. 11957/20 |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **COMPOSITION OF BIOCHEMICAL COMPOUNDS INVOLVED IN BIOENERGY METABOLISM OF CELLS AND METHOD OF USE**, the specification of which was filed on herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys:

Jeffrey M. Butler (Reg. No. 41,652)
Richard L. DeLucia (Reg. No. 28,839)
Siu K. Lo (Reg. No. 46,877)

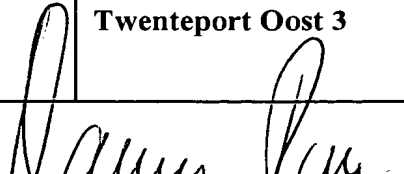
SEND CORRESPONDENCE, AND DIRECT TELEPHONE CALLS TO:

**26646**

PATENT TRADEMARK OFFICE

KENYON & KENYON
One Broadway
New York, NY 10004
(212) 425-7200 (phone)
(212) 425-5288 (facsimile)

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | |
|---|---|---|---|
| FULL NAME OF INVENTOR | FAMILY NAME RATH | FIRST GIVEN NAME Matthias | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY NL-7609 RG Almelo | STATE OR FOREIGN COUNTRY Netherlands | COUNTRY OF CITIZENSHIP |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS Twentepoort Oost 3 | CITY NL-7609 RG Almelo | STATE & ZIP CODE/COUNTRY Netherlands |
| Signature  | Date 04.03.2002 | | |